

MOROCHO VS KELLY

1/15/08

GEORGE KELLY

<p>5</p> <p>1 G. KELLY</p> <p>2 Q And I will rephrase the question or</p> <p>3 try to reword it so it's comprehensible.</p> <p>4 A Okay.</p> <p>5 Q If you do answer it, we will assume</p> <p>6 that you understood it, and it is also very</p> <p>7 important that you answer verbally rather than</p> <p>8 by nodding your head and so on.</p> <p>9 A I understand.</p> <p>10 Q So the Court Reporter can get it</p> <p>11 down. All the questions are under oath, you've</p> <p>12 sworn to tell the truth.</p> <p>13 A Right.</p> <p>14 Q I take it you are a former police</p> <p>15 officer?</p> <p>16 A That's correct.</p> <p>17 Q So you're aware of the consequences</p> <p>18 of not telling the truth?</p> <p>19 A Yes, I do.</p> <p>20 Q Any questions about how we are going</p> <p>21 to proceed today?</p> <p>22 A No.</p> <p>23 Q Are you currently employed?</p> <p>24 A Yes, I am.</p> <p>25 Q And where do you work?</p>	<p>7</p> <p>1 G. KELLY</p> <p>2 Q How do you spell that, please?</p> <p>3 A M I N E R.</p> <p>4 Q Is he the sole owner?</p> <p>5 A No, he's not.</p> <p>6 Q Does he have partners?</p> <p>7 A Yes, he does.</p> <p>8 Q And who are they?</p> <p>9 A One partner is John Weigel.</p> <p>10 Q How do you spell that?</p> <p>11 A W E I G E L.</p> <p>12 Q Okay.</p> <p>13 A And Timmy Weigel.</p> <p>14 Q Is that Timothy?</p> <p>15 A Yeah.</p> <p>16 Q Spelled the same way, the last name?</p> <p>17 A Right.</p> <p>18 Q Do you know what the relationship, if</p> <p>19 any, of Mr. Miner to the Weigels, are they --</p> <p>20 A Friends.</p> <p>21 Q Weigels, I take it are related?</p> <p>22 A Yes, father and son.</p> <p>23 Q Which one is the father?</p> <p>24 A John.</p> <p>25 Q Do you know if they -- is Nyack Soft</p>
<p>6</p> <p>1 G. KELLY</p> <p>2 A Nyack Soft Cloth Car Wash.</p> <p>3 Q And how long have you worked there?</p> <p>4 A Approximately eight years.</p> <p>5 Q Is that your first job after you left</p> <p>6 the force?</p> <p>7 A No, it's not.</p> <p>8 Q Where did you work before that?</p> <p>9 A I bartended, you mean before the car</p> <p>10 wash?</p> <p>11 Q Yes.</p> <p>12 A I bartended, I was a maintenance</p> <p>13 supervisor in the Florida Keys. And that's</p> <p>14 about it.</p> <p>15 Q How did it come about that you got</p> <p>16 the job at Nyack Soft Cloth Car Wash?</p> <p>17 A Through my father-in-law.</p> <p>18 Q How did that happen?</p> <p>19 A He asked me if I wanted to work at</p> <p>20 the car wash and I said sure.</p> <p>21 Q What is his relationship with the car</p> <p>22 wash?</p> <p>23 A He is the owner.</p> <p>24 Q What's his name?</p> <p>25 A James Miner.</p>	<p>8</p> <p>1 G. KELLY</p> <p>2 Cloth Car Wash, is that the trade name of the</p> <p>3 car wash?</p> <p>4 A Well, it's Nyack Colonial Car Wash.</p> <p>5 Q So where does the Soft Cloth come in?</p> <p>6 A I think that's just -- Soft Cloth is</p> <p>7 just the name on the sign, I think, really, I</p> <p>8 think that's where it comes from, I mean it</p> <p>9 used to be Bristles years ago, now they are</p> <p>10 Soft Cloth.</p> <p>11 Q So if you go to the car wash, the</p> <p>12 sign outside said Soft Cloth?</p> <p>13 A Nyack Soft Cloth. It just says Soft</p> <p>14 Cloth Car Wash.</p> <p>15 Q Is it Nyack Colonial Car Wash, Inc?</p> <p>16 A There is a corporation, Nyack</p> <p>17 Colonial, Inc. I'm not sure, but it's Nyack</p> <p>18 Colonial Incorporated.</p> <p>19 Q Is there one corporation that you</p> <p>20 know of?</p> <p>21 A There's two corporations.</p> <p>22 Q What's the first one?</p> <p>23 A That would be J and J Incorporated.</p> <p>24 Q Okay.</p> <p>25 A And then there's Nyack Colonial.</p>

2 (Pages 5 to 8)

16

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G. KELLY

2

Weigel retired, did he sell out his interest in  
3 these entities to his son?

4

A I don't know.

5

Q You don't know if he still has an  
6 ownership interest?

7

A I don't know what the situation is,  
8 that's their business.

9

Q What is your responsibility as a  
10 employee of Nyack Colonial Car Wash, Inc.?

11

A General Manager.

12

Q What do you manage?

13

A The car wash.

14

Q The Nyack Soft Cloth Car Wash?

15

A Correct.

16

Q Any others?

17

A As a manager? In a manager's

18

position?

19

Q In any capacity?

20

A Just Nyack.

21

Q Does Nyack Colonial Car Wash, Inc.,

22

own any other car washes as far as you know?

23

A No.

24

Q How about J & J, Inc.?

25

A I don't know the setup for J & J, I

EXHIBIT C

82

G. KELLY

1

2 A That's correct.

3 Q And that Nyack Colonial Car Wash,

4 Inc., is owned by James Miner, John Weigel and

5 Tim Weigel; correct?

6 A No, I think it's James Miner and

7 Timothy Weigel.

8 Q And you have no ownership interest in

9 the company; correct?

10 A No.

11 Q Now, these work schedules are they --

12 do you keep them?

13 A No.

14 Q You throw them out?

15 (Witness nods.)

16 Q Do you report to anyone -- let me ask

17 it this way. Who is your boss at the car wash,

18 at the Nyack Soft Cloth Car Wash?

19 A My boss is James Miner and Tim

20 Weigel.

21 Q And how often do you speak with them

22 about the car wash?

23 A Speak to them about the car wash? I

24 could speak to Timmy once a week.

25 Q And does Timmy have occasion to visit